

REMARKS

This amendment is in response to the Non-Final Office Action dated September 16, 2008 (the “Office Action”). Claims 1-11 and 13-26 are pending in the application. Claim 12 has been cancelled without prejudice or disclaimer. Claims 1, 19-25 have been amended. Claim 26 has been added. No new matter has been added.

Claims 1-4, 7, 10-11, 16-20, and 22 are Allowable

The Office has rejected claims 1-4, 7, 10-12, 16-20, and 22 under 35 U.S.C. §102(e), as being unpatentable over U.S. Published Application No. 2004/026112 (“Hicks”). Claim 12 has been cancelled without prejudice or disclaimer. Applicants respectfully traverse the remainder of the rejections.

The cited portions of Hicks do not disclose or suggest the specific combination of claim 1. For example, the cited portions of Hicks fail to disclose or suggest a programmable conditional access system (PCAS) that is programmable by conditional access (CA) data sent by a signal from a service provider, as in claim 1.

In contrast to claim 1, the cited portions of Hicks describe conditional access system (CAS) smart cards that can be inserted into an entertainment system to provide authentication for pay-per-view events. *See* Hicks, paragraph 53. Using a CAS smart card does not disclose how the CAS smart cards are programmed. In fact, at no point in the reference does Hicks describe or even mention how the CAS smart cards are programmed. Furthermore, Hicks’ smart cards are authorized before they are inserted – not programmable by a signal from a service provider. Therefore, the cited portions of Hicks fail to disclose or suggest a PCAS that is programmable by conditional access (CA) data sent by a signal from a service provider. Hence, claim 1 is allowable. Claims 2-4, 7, 10-11, 16-20, and 22 are allowable, at least by virtue of their dependence from claim 1. Further, the dependent claims recite additional elements not disclosed or suggested by the cited portions of the above-cited references.

For example, the cited portions of Hicks fail to disclose or suggest an input interface that includes a network interface to receive the signal from the service provider, as in claim 22. The cited portions of Hicks does not disclose that CAS smart cards are programmable by a signal sent from a service provider nor does Hicks disclose that the CAS smart cards have a network

interface for receiving signals from the service provider. For at least this additional reason, claim 22 is allowable.

Claims 5-6, 14-15, and 23 are Allowable

The Office has rejected claims 5-6, 14-15, and 23, under 35 U.S.C. §103(a), as being unpatentable over Hicks, in view of U.S. Patent No. 7,254,828 (“Hunter”). Applicants respectfully traverse the rejections.

Claims 5-6 and 14-15 depend from claim 1. As explained above, the cited portions of Hicks fail to disclose or suggest at least one element of claim 1. The cited portions of Hunter fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of Hicks. For example, the cited portions of Hunter do not disclose a programmable conditional access system (PCAS) that is programmable by conditional access (CA) data sent by a signal from a service provider. In fact, the cited portions of Hunter do not even mention programmable conditional access systems. Hence, claims 5-6 and 14-15 are allowable, at least by virtue of their dependence from claim 1.

In addition, the cited portions of the above-cited references do not disclose or suggest the specific combination of claim 23. For example, the cited portions of the above-cited references fail to disclose or suggest a PCAS that is programmable by conditional access (CA) data sent by a signal from at least two cable television service providers, via a cable television signal interface, as in claim 23.

In contrast to claim 23, the cited portions of Hicks describe conditional access system (CAS) smart cards that can be inserted into the entertainment system to provide authentication for pay-per-view events. *See* Hicks, paragraph 53. Using a CAS smart card does not disclose how the CAS smart cards are programmed. In fact, at no point in the reference does Hicks describe or even mention how the CAS smart cards are programmed. Furthermore, Hicks’ smart cards are authorized before they are inserted – not programmable by a signal from a service provider. Therefore, the cited portions of Hicks fail to disclose or suggest that the PCAS is programmable by conditional access (CA) data sent by a signal from at least two cable television service providers, via a cable television signal interface, as in claim 23. Hence, claim 23 is allowable.

In addition, Hunter does not disclose or suggest the elements of claim 23 not disclosed or suggested by the cited portions of Hicks. For example, the cited portions of Hunter do not disclose or suggest a PCAS that is programmable by conditional access (CA) data sent by a signal from at least two cable television service providers, via a cable television signal interface. In fact, Hunter does not even mention programmable conditional access systems. Therefore, the cited portions of Hicks and Hunter, individually or in combination, fail to disclose or suggest the specific combination of claim 23. Hence, claim 23 is allowable.

Claims 8-9 and 24 are Allowable

The Office has rejected claims 8-9 and 24, under 35 U.S.C. §103(a), as being unpatentable over Hicks, in view of U.S. Patent No. 6,707,508 (“Mears”). Applicants respectfully traverse the rejections.

Claims 8-9 depend from claim 1. As explained above, the cited portions of Hicks fail to disclose or suggest at least one element of claim 1. The cited portions of Mears fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of Hicks. For example, the cited portions of Mears do not disclose the programmable conditional access system (PCAS) is programmable by conditional access (CA) data sent by a service provider. In fact, the cited portions of Mears do not even mention programmable conditional access systems. Hence, claims 8-9 are allowable, at least by virtue of their dependence from claim 1.

The cited portions of the above-cited references do not disclose or suggest the specific combination of claim 24. For example, the cited portions of the above-cited references fail to disclose or suggest a PCAS that is programmable by conditional access (CA) data sent by a signal from at least two direct broadcast satellite service providers, via a direct broadcast satellite television signal interface as in claim 24.

In contrast to claim 24, the cited portions of Hicks describe conditional access system (CAS) smart cards that can be inserted into the entertainment system to provide authentication for pay-per-view events. *See* Hicks, paragraph 53. Using a CAS smart card does not disclose how the CAS smart cards are programmed. In fact, at no point in the reference does Hicks describe or even mention how the CAS smart cards are programmed. Furthermore, Hicks’ smart cards are authorized before they are inserted – not programmable by a signal from a service provider. Therefore, the cited portions of Hicks fail to disclose or suggest a PCAS that is

programmable by conditional access (CA) data sent by a signal from at least two direct broadcast satellite service providers, via a direct broadcast satellite television signal interface, as in claim 24. Hence, claim 24 is allowable.

The cited portions of Mears do not disclose or suggest the elements of claim 24 not disclosed or suggested by the cited portions of Hicks. For example, the cited portions of Mears do not disclose a PCAS that is programmable by conditional access (CA) data sent by a signal from at least two direct broadcast satellite service providers, via a direct broadcast satellite television signal interface. In fact, the cited portions of Mears do not even mention programmable conditional access systems. Therefore, the cited portions of Hicks and Mears, individually or in combination, fail to disclose or suggest the specific combination of claim 24. Hence, claim 24 is allowable.

Claim 13 is Allowable

The Office has rejected claim 13, under 35 U.S.C. §103(a), as being unpatentable over Hicks, in view of U.S. Published Application No. 2004/0133914 (“Smith”). Applicants respectfully traverse the rejections.

Claim 13 depends from claim 1. As explained above, the cited portions of Hicks fail to disclose or suggest at least one element of claim 1. The cited portions of Smith fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of Hicks. For example, the cited portions of Smith do not disclose that the PCAS is programmable by conditional access (CA) data sent by a signal from a service provider. In fact, the cited portions of Smith do not even mention programmable conditional access systems. Hence, claim 13 is allowable, at least by virtue of its dependence from claim 1.

Claims 21 and 25 are Allowable

The Office has rejected claims 21 and 25, under 35 U.S.C. §103(a), as being unpatentable over Hicks, in view of U.S. Published Application No. 2002/0087973 (“Hamilton”). Applicants respectfully traverse the rejections.

Claim 21 depends from claim 1. As explained above, the cited portions of Hicks fail to disclose or suggest at least one element of claim 1. The cited portions of Hamilton fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of

Hicks. For example, the cited portions of Hamilton do not disclose a PCAS that is programmable by conditional access (CA) data sent by a signal from a service provider. In fact, the cited portions of Hamilton do not even mention programmable conditional access systems. Hence, claim 21 is allowable, at least by virtue of its dependence from claim 1.

The cited portions of the above-cited references do not disclose or suggest the specific combination of claim 25. For example, the cited portions of the above-cited references fail to disclose or suggest a PCAS that is programmable by conditional access (CA) data sent by a signal from at least two digital switched video network service providers, via a digital switched video network signal interface, as in claim 25.

In contrast to claim 25, the cited portions of Hicks describe conditional access system (CAS) smart cards that can be inserted into the entertainment system to provide authentication for pay-per-view events. *See* Hicks, paragraph 53. Using a CAS smart card does not disclose how the CAS smart cards are programmed. In fact, at no point in the reference does Hicks describe or even mention how the CAS smart cards are programmed. Furthermore, Hicks' smart cards are authorized before they are inserted – not programmable by a signal from a service provider. Therefore, the cited portions of Hicks fail to disclose or suggest a PCAS that is programmable by conditional access (CA) data sent by a signal from at least two digital switched video network service provider, via a digital switched video network signal interface, as in claim 25. Hence, claim 25 is allowable.

In addition, the cited portions of Hamilton do not disclose or suggest the elements of claim 25 not disclosed or suggested by the cited portions of Hicks. For example, the cited portions of Hamilton do not disclose a PCAS that is programmable by conditional access (CA) data sent by a signal from at least two direct broadcast satellite service providers, via a digital switched video network signal interface. In fact, Hamilton does not even mention programmable conditional access systems. Therefore, the cited portions of Hicks and Hamilton, individually or in combination, fail to disclose or suggest the specific combination of claim 25. Hence, claim 25 is allowable.

Claim 26 is Allowable

Claim 26 has been added. Claim 26 depends from claim 1. The cited portions of Hicks fail to disclose or suggest at least one element of claim 1. The cited portions of Hunter, Mears,

Smith, and Hamilton fail to disclose or suggest the elements of claim 1 not disclosed or suggested by the cited portions of Hicks. For example, the cited portions of the above-cited references do not disclose or suggest a PCAS that is programmable by conditional access (CA) data sent by a signal from a service provider. In fact, none of the above-cited references even mention programmable conditional access systems. Therefore, the cited portions of Hicks, Mears, Smith, and Hamilton fail to disclose or suggest at least one element of claim 1, from which claim 26 depends. Hence, claim 26 is allowable. Further, claim 26 recites additional elements not disclosed or suggested by the cited portions of the above-cited references.

For example, the cited portions of above-cited references fail to disclose or suggest a PCAS that is reprogrammable by a different service provider. The cited portions of the above-cited references do not disclose that the CAS smart card can be reprogrammed by a different service provider. For at least this additional reason, claim 26 is allowable.

CONCLUSION

Applicants have pointed out specific features of the claims not disclosed, suggested, or rendered obvious by the cited portions of the references as applied in the Office Action. Accordingly, Applicants respectfully request reconsideration and withdrawal of each of the objections and rejections, as well as an indication of the allowability of each of the pending claims.

The Examiner is invited to contact the undersigned attorney at the telephone number listed below if such a call would in any way facilitate allowance of this application.

The Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-2469.

Respectfully submitted,

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Date


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